IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 10284 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE JAYANT PATEL

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

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AMOD NAGARIK SAHAKARI BANK LTD

Versus

MOTILAL NAGINLAL DIWANJI

Appearance:

1. Special Civil Application No. 10284 of 1993

MR BS PATEL for Petitioner No. 1-2

Mr.A.V.Thakkar for MR SH SANJANWALA for Respondent

CORAM : MR.JUSTICE JAYANT PATEL

Date of decision: 07/08/2002

ORAL JUDGEMENT

Mr.A.V.Thakkar appearing for Mr.S.H.Sanjanwala, Ld.Sr.Counsel on behalf of respondent states that the respondent has expired on 4.8.97 and the notice was also

given by Mr.Sanjanwala to Mr.B.S.Patel, Ld.advocate for the petitioners and the same is received by them on 1.10.1997. He submits that till today the legal representatives of the deceased respondent are not brought on record.

2. Ms.Roopa Sridhar appearing for Mr.B.S.Patel for the petitioners is unable to show any ground for not bringing on record the legal representatives of the original respondent.

3. In that view of the matter, since the respondent has expired four years back and no steps are taken to bring on the record the legal representatives of deceased respondent petition has stood abated and therefore the petition is disposed of as abated. Rule is discharged. Ad interim relief is vacated.

7.8.02 (JAYANT PATEL,J)